ATTACHMENT A
REMARKS

Considering the matters raised in the Office Action in the same order as raised, it is agreed that the drawings submitted on July 30, 2003, are informal drawings. Formal drawings will be submitted in due course.

Claims 1-16 have been rejected under 35 USC 101 "because the claims are directed to a non-statutory subject matter, specifically, the claims are not directed toward the final result that is 'useful, tangible and concrete'." This rejection is respectfully traversed, particularly as concerns some of the claims, as discussed below.

In order to expedite the prosecution, independent clams 1, 6 and 11 have been amended to make reference to the use of a computer. In this regard, the independent method claims recite the use of a computer (in its broadest terms) in performing at least one of the steps of the method. Similarly, claim 11 recites a computer (in its broadest terms) for performing at least one of the functions of the system. It is noted that claims 2, 7 and 12 already recite that certain steps are accomplished through the execution of a digital computer program while claim 16 recites a computer-readable medium containing computer-readable instructions, which, when executed, perform particular steps. This form of claim has been specifically approved by the courts as being fully in accordance with the requirements of 35 USC 112 and hence withdrawal of the rejection of claim 16 is respectfully requested. Moreover, the final result, viz., the initiation of a particular action that is identified for handling a particular alarm, without intervention of an operator, is useful, tangible and concrete.

Claims 1-16 have been rejected under 35 USC 102(e) as being "anticipated by" the Greene reference. This rejection is respectfully traversed.

It is respectfully submitted that, as will appear, the rejection here is based on a careful selecting out of specific teachings of the Greene reference which are, in a number of instances, unrelated to each other. The Greene patent is concerned with a much different method and system than that of the present invention and with much different problems and solutions than those that are addressed by the present invention.

The Greene patent is concerned with a method and system for implementing a global information bus (GIB) in a global ecosystem of interrelated services. In rejecting

claim 1, the Examiner states that "Greene teaches automated handling of alarms generated by a fault management system associate with a telecommunications network in which each alarm has certain attributes" citing paragraphs [0170] and [0431]. The first of the cited paragraphs is concerned with "NW messaging and publication subscription services" and how "services" 814 "provide NW components the means for communication between NW services." The discussion is general in nature and includes the provision that rendezvous services 812 "recognize and combine patterns of events which may require further service" and also "recognize that events are being handled, thus preventing an event which has gone directly to a state machine from also creating a new state machine." The second cited paragraph merely states that "3. the running of rules is designed to help determine the cause of the problem," and is a statement under the heading "Work Item Aggregation." The latter is concerned with separate activities used by the "primary process" in "building the case."

The Examiner also contends that Greene provides for "establishing a set of rules for handling each alarm based on attributes of that alarm, and storing said set of rules in a database" citing paragraph [0166]. This paragraph describes how the "NW infrastructure provides for remotely-located resources." The paragraph states that these resources may include XML files, property files, images and the like. A number of different solutions are discussed.

The Examiner further contends that Greene discloses "receiving a particular alarm from the fault management system into a queue" citing paragraphs [0086] and [0090]. The first of these paragraphs discussed implementing Enterprise Application Integration (EAI) and explains that EAI exists in two popular architectures, point-to-point and hub and spoke. The paragraph does use the word "queue" but in the context of the statement that each "enterprise application must be modified with a messaging agent, a queue and a relationship application table for listing other enterprise applications and the data and resources that they own." The second cited paragraph concerns a "messaging broker" which "can be either a complete messaging system or software that works with existing messaging transports in order to add routing intelligence and data conversion capabilities." This paragraph provides that while "the hub and spoke architecture represents a significant advancement over independent stovepipes and an

improvement over point-to-point messaging, the hub-and-spoke EAI solution [described in the first of these two paragraphs] is resource-constrained because all the processing takes place on a single server."

The Examiner next contends that Greene discloses "applying the established set of rules to the particular alarm" citing paragraph [0473]. This paragraph states the following: "user interfaces to access the work item information (allowing different user interfaces for different rules - technical support, customer support, etc)." This paragraph occurs under the heading "The Workspaces" and is the subject of the sentence "This is an in-memory shared space capable of holding objects that the participants may need, including:" so that the "user interfaces" are some of the objects that the participants may need, among the other objects set forth in paragraphs [0468] to [0472] and [0474].

The Examiner also contends that Greene teaches "such that an action is identified for handling the particular alarm; and initiating said action in response to the particular alarm without intervention of an operator" citing paragraph [0423]. Paragraph [0423] reads in its entirety "UUNet Ping Alarm FMEvent XML. Document, topic ngn.uunet.fm." This statement is made in the context of the prior statement that the "precise XML document standards are not important for the purposes herein, but some exemplary events are listed below." Moreover, this appears to be the only mention of an "alarm" in the entire, very lengthy patent document.

It is respectfully submitted that, given the actual teachings of the Greene patent on which the Examiner relies, these teachings are simply not a disclosure of the present invention as claimed in independent claim 1. It is respectfully submitted that the citations from Greene simply do not disclose what they are said to disclose. Similar remarks apply to independent claims 6, 11 and 16. If the Examiner intends to pursue a rejection based on the Greene reference, it is respectfully requested that the Examiner actually apply the specific teachings of the reference to the elements of the claims rather than reciting various elements of the claims and then citing paragraphs from the reference that are supposed to, but actually, do not, disclose those elements.

Turning to the dependent claims, these claims are patentable for at least the reasons set forth above in support of the claims parent thereto. Moreover, in connection with some of the dependent claims, it is not seen that the paragraphs from

Greene that are being relied on actually disclose the subject matter of the claims in question.

Allowance of the application in its present form is respectfully solicited.

END REMARKS